

## **REMARKS**

The Office Action mailed March 31, 2003, has been reviewed and the comments of the Patent and Trademark Office have been considered. Claim 1 has been amended. New claim 9 has been added. No new matter has been added. Claims 1-9 are pending for consideration.

### **Claim amendments**

Claim 1 has been amended to better conform with U.S. practice. Applicant submits that these amendments do not narrow the scope of claim 1, and the amendments are not being done in response to any rejections.

### **Specification**

Applicant has amended the specification as suggested by the Examiner, and, accordingly, applicant respectfully requests that the objection to the disclosure be withdrawn.

### **Rejections under 35 U.S.C. §§ 102 and 103**

Claims 1 and 3-8 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,527,425 to Nakata (hereafter "Nakata"). Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakata in view of U.S. Patent No. 6,123,440 to Albou (hereafter "Albou"). Applicant respectfully traverses these rejections for at least the following reasons.

All of the rejections under 35 U.S.C. §§ 102 and 103 are based, at least in part, on Nakata. Applicant submits, however, that Nakata is not prior art to the claims of the present application. Nakata issued on March 4, 2003, after the filing date of the present application of January 22, 2002. Further, the inventor of the present application, and the inventor of Nakata are the same. Thus, Nakata is not available as prior art under 35 U.S.C. § 102(e) as suggested in the Office Action, because Nakata is not a patent granted on an application for patent by another, as required by section 102(e).

Moreover, the published version of the Japanese priority application (JP 2001-35215), upon which Nakata relies for priority, is also not prior art to the claims of the present application. JP 2001-35215 has a publication date of February 9, 2001, less than one year prior to the filing date of the present application, and the inventor is the same as that of the present application. For at least this reason, JP 2001-35215 is not available as prior art to the claims of the present application. Applicant is not aware of any counterpart application to the present U.S. application that was published more than one year before the present U.S. application was filed.

In any event, neither Nakata nor Albou suggest the invention as claimed for at least the following reasons.

Claim 1 is directed to a lamp device for a vehicle including a lens having no prism, where the lens is formed in a convex shape in a vertical cross-section and a horizontal cross-section. The lens structure of claim 1 provides advantages. As disclosed in the present specification on page 21, lines 1-6, when the lens is structured such that it has a convex shape in both a vertical cross-section and a horizontal cross-section, light is largely refracted by the lens and the interior section of the lamp is not easily seen from an exterior section, even without a prism. With this lens structure, it is not necessary to finish a reflection surface of the reflector of the lamp to have a relatively high optical performance (page 21, lines 7-14).

Nakata fails to disclose the lens as recited in claim 1, or its attendant advantages. In one embodiment (see Figure 1B), Nakata does disclose a convex lens 5. Nakata, however, does not appear to specifically disclose that the convex lens has no prism, or that the convex lens has a convex shape in both a vertical cross-section and a horizontal cross-section, as recited in claim 1. Applicant does not believe that the lens in Fig. 12 inherently includes all these features. Thus, Nakata does not disclose the lens recited in claim 1, nor does Nakata suggest the advantages of such a lens structure.

Albou was cited for allegedly suggesting a lens with a hyperbolic type reflector, but also fails to suggested the lamp of claim 1 with a lens as recited therein. Moreover, there is no suggestion to modify the Nakata reference using the teachings of Albou to achieve the invention of claim 1.

Accordingly, for at least the reasons given above, applicant respectfully submits that claim 1 is patentable over Nakata and Albou. Claims 2-9 ultimately depend from claim 1 and are patentable for at least the same reasons as claim 1, and for further patentable features recited therein.

For the reasons given above, applicant respectfully requests that the rejection of the claims under 35 U.S.C. § 102 and 35 U.S.C. § 103 be withdrawn.

### CONCLUSION

In view of the foregoing amendments and remarks, applicant respectfully submits that all of the pending claims are now in condition for allowance. An early notice to this effect is earnestly solicited. If there are any questions regarding the application, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,

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Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge Deposit Account No. 19-0741 for any such fees; and applicant(s) hereby petition for any needed extension of time.

**Versions with Markings to Show Changes Made**

**In the Specification:**

On page 19, paragraph starting at line 1, and ending at line 19.

Accordingly, for example, as shown in Fig. 5, when the light of the light source 2 is reflected at one point  $P_1$  on the reflection surface 4 in the third reflection surface block 23 from the left which is closest to the light source 2, the outgoing light  $L_5$  output from a rear end b of the light source (filament) 2 is emitted to a lower side at an angle  $\theta_1$  with respect to a horizontal line  $S_1$ , as shown in Fig. 1. On the contrary, the outgoing light  $L_4$  output from a front end a of the light source (filament) 2 is emitted to a lower side at an angle  $\theta_2$  with respect to the horizontal line  $S_1$ . The emitted lights  $L_4$  and  $L_5$  are formed in a longitudinal shape in a vertical direction substantially in a center section on the screen, as shown in Figs. 8A and 12. Further, they are slightly inclined from the light source 2 at a difference in the lateral direction. The angles  $\theta_1$  and  $\theta_2$  of the outgoing lights  $L_4$  and  $L_5$  emitted from the lens 1 with respect to the horizontal [ling] line  $S_1$  are the same as the angle  $\theta_1$  and  $\theta_2$  on the screen from a horizontal line H-H, as shown in [Fig] Fig. 8A.

**In the Claims:**

1. (Amended) A lamp device for a vehicle comprising:
  - a light source;
  - a reflector in which a reflection surface is a free curved surface;
  - a lens having no prism; and
  - [a reflected] wherein light reflected by said reflector [transmitting] from said light source is transmitted through said lens so as to [be irradiated to] irradiate an external section in accordance with a target light distribution pattern, and
  - wherein said lens is formed in a convex shape in a vertical cross section and a horizontal cross section.